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FACSIMILE COVER SHEET

Deliver to: Eleni A. Shifcraw, USPTO

Art Group: 2136

Facsimile No.: 703-872-9306

Date: December 15, 2006

From: William W. Schaal, Reg. No. 39,018.

Our Docket No.: 42390P11770

Number of pages 15 including this sheet.

Application No.: 09/896,088

Filing Date: 6/28/2001

Docket Due Date(s): 12/18/2006.

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: Response _____ (11 pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ (____pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet (.. pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Mailing _____	<input type="checkbox"/> Reply Brief (____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ____sheets, __ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion (_ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.81)

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Nicole Erquiaga

12/15/2006

Date _____

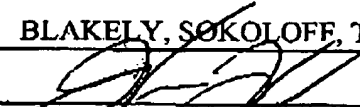
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DEC 15 2006

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application No.	09/896,088	
	Filing Date	June 28, 2001	
	First Named Inventor	Carl M. Ellison	
	Art Unit	2136	
	Examiner Name	Eleni A. Shiferaw	
Total Number of Pages in This Submission	14	Attorney Docket Number	42390P11770

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	December 15, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Nicole Erquiaga		
Signature		Date	December 15, 2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (10/12/2006).
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

0.00

Complete if Known

Application Number 09/896,088
Filing Date June 28, 2001
First Named Inventor Carl M. Ellison
Examiner Name Eleni A. Shiferaw
Art Unit 2136
Attorney Docket No. 42390P11770

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
32	33*	0	\$0.00
Independent Claims	5	5*	0
Multiple Dependent			

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	300	2203	150	Multiple Dependent claim, if not paid
1204	700	2204	350	**Reissue independent claims over original patent
1206	300	2206	150	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$)

*or number previously paid, if greater. For Reissues, see below

2. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
2053	130	2103	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451		2451		Petition to institute a public use proceeding
1480	130	2480	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)
1808	180	1808	180	Submission of Information Disclosure Stmt
1809	700	1809	350	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	780	2810	305	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

SUBTOTAL (2)

(\$)

Fee Paid

SUBMITTED BY

Name (Print/Type)

William W. Schaaf

Registration No.
(Attorney/Agent)

39,018

Complete (if applicable)

Telephone

(714) 557-3800

Signature

Date

12/15/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (vtr) 12/15/2004.
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FEE TRANSMITTAL for FY 2006 <small>Potential fees are subject to annual revision.</small>		Complete If Known	
		Application Number	09/896,088
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	June 28, 2001
		First Named Inventor	Carl M. Ellison
TOTAL AMOUNT OF PAYMENT		Examiner Name	Eleni A. Shiferaw
(\$)		Art Unit	2136
0.00		Attorney Docket No.	42390P11770

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 ☒ Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
32	0	50.00	\$0.00
5	0	200.00	\$0.00

Large Entity Fee Code (\$)
 1202 50
 1201 200
 1203 360
 1204 750
 1205 300

Small Entity Fee Code (\$)
 2202 25
 2201 100
 2203 180
 2204 395
 2205 150

Fee Description

Claims in excess of 20
 Independent claims in excess of 3
 Multiple Dependent claim, if not paid
 **Reissue independent claims over original patent
 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$)
 0.00

2. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 130	2001 65	Surcharge - late filing fee or oath	
1002 50	2002 25	Surcharge - late provisional filing fee or cover sheet	
2003 130	2003 130	Non-English specification	
1251 120	2251 00	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,530	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451	2451	Petition to institute a public use proceeding	
1480 130	2480 130	Petitions to the Commissioner	
1807 50	1007 60	Processing fee under 37 CFR 1.17(a)	
1808 100	1808 180	Submission of Information Disclosure Sheet	
1809 790	1009 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify): _____

SUBTOTAL (2) (\$)
 0.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018
Signature		Telephone	(714) 557-3800
		Date	12/15/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/12/15/2004).
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Appl. No. 09/896,088
Amdt. Dated: December 15, 2006
Reply to Office Action of September 18, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :	09/896,088	Confirmation No. 9497
Applicant :	Carl M. Ellison	
Filed :	June 28, 2001	
TC/A.U. :	2136	
Examiner :	Eleni A. Shiferaw	
Docket No. :	042390.P11770	
Customer No. :	8791	

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT UNDER 37 C.F.R. § 1.116

Sir:

In response to the Office Action of September 18, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.